

E-FILED | 4/25/2017 4:11 PM
CC-24-2017-C-138
Marion County Circuit Clerk
Rhonda Starn

IN THE CIRCUIT COURT OF MARION COUNTY, WEST VIRGINIA

KIMBERLY STREETS,
Plaintiff,

v.

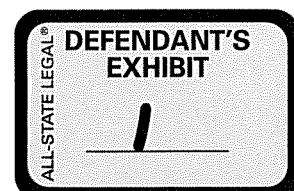
CASE NO.: 17-C-_____

CURTIS KEN,
and GREENBUSH LOGISTICS INCORPORATED,
Defendants.

COMPLAINT

Comes now the Plaintiff, Kimberly Streets, by and through her attorney, Michelle L. Minutelli and Whiteman Burdette, PLLC, and for her Complaint states the following:

1. The Plaintiff is a citizen and resident of Harrison County, West Virginia.
2. At all times mentioned herein, the Defendant, GREENBUSH LOGISTICS INCORPORATED (hereinafter referred to as "Greenbush"), is a corporation licensed to do business in the State of West Virginia, with its principal office address of 445 Singletary Road, Abbeville, AL 34310.
3. That the individual Defendant, Curtis Ken, is an employee of Greenbush, who was, at all times relevant herein, acting within the course and scope of his employment on May 22, 2015.
4. The Defendant, Curtis Ken, is believed to be a resident of Virginia, whose last known address is 231 Burwell Road, Rocky Mount, VA 24151.
5. On May 22, 2015, at approximately 8:06 a.m., Plaintiff, Kimberly Streets, was operating a 2013 Dodge Avenger sedan on Pennsylvania Avenue near the intersection with Jefferson Street in Fairmont, Marion County, West Virginia.
6. At said time and place, Curtis Ken was operating a 2014 Kenworth TR truck tractor



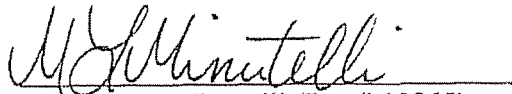
owned by Old Dominion Truck Leasing.

7. At said time and place, Defendant Curtis Ken negligently, carelessly, and recklessly failed to yield right of way and made an improper turn, causing the truck tractor driven by Defendant Curtis Ken to collide with the automobile driven by Plaintiff Kimberly Streets.
8. As a direct and proximate result of said collision, and the carelessness, recklessness, and negligence of the Defendants, Plaintiff has sustained the following damages and other losses:
 - a. Plaintiff has incurred hospital, medical, and doctor expenses to date and will likely continue to incur additional medical expenses in the future;
 - b. Plaintiff has sustained great physical pain and mental suffering and will likely continue to experience additional pain and suffering in the future;
 - c. Plaintiff has suffered injuries that have caused her to be absent from work, resulting in lost wages; and
 - d. Plaintiff's injuries are severe and continuing, and Plaintiff has sustained a loss of overall enjoyment of family and life.

WHEREFORE, Plaintiff demands judgment against the Defendants, Curtis Ken and Greenbush, jointly and severally, in an amount sufficient to compensate her for medical expenses, pain and suffering, loss of earnings, and for all other damages and losses, and such other further relief as this Court may deem just and proper. There is underinsurance coverage applicable to this case through Progressive Direct Insurance Company, whose notice of process address is CT Corporation System, 5400 D Big Tyler Road, Charleston, WV 25313. Said insurance company is to be served according to West Virginia Code and to be made part of this proceeding for all applicable purposes.

PLAINTIFF DEMANDS A TRIAL BY JURY.

KIMBERLY STREETS
Plaintiff by Counsel

A handwritten signature in cursive script, reading "Michelle L. Minutelli". The signature is written in black ink and is positioned above a horizontal line.

Michelle L. Minutelli (Bar # 10865)
Whiteman Burdette, PLLC
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